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THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, ABBOTT MOLECULAR INC., and
ABBOTT LABORATORIES INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA, ABBOTT
MOLECULAR INC., and ABBOTT
LABORATORIES INC.,

Plaintiffs,

v.

DAKOCYTOMATION CALIFORNIA,
INC.,

Defendant.

AND RELATED COUNTERCLAIMS.

Case No. C 05-03955 MHP

**~~PROPOSED~~ ORDER GRANTING
PLAINTIFFS' MOTION FOR LEAVE
TO FILE FIRST AMENDED
COMPLAINT**

1 This motion of plaintiffs The Regents of the University of California, Abbott Molecular
 2 Inc., and Abbott Laboratories Inc. to file a first amended complaint ~~came on regularly for hearing~~
 3 ~~and a statement of non-opposition having been filed.~~
~~before this Court. Both parties were represented by their respective counsel.~~

4 Based upon plaintiffs' motion, the accompanying memorandum and supporting
 5 declarations, the remaining papers filed with the Court in this matter, ~~and upon hearing of this~~
 6 ~~matter, for the reasons detailed below,~~ the Court finds that leave to amend is warranted under
 7 Rule 15(a) of the Federal Rules of Civil Procedure.

8 The Court therefore **ORDERS** that:

- 9 1. By stipulation of the parties, all of the references to defendant DakoCytomation
 10 California, Inc. shall be changed to reflect its new name, Dako North America, Inc.;
- 11 2. Dako A/S shall be added as a party defendant; and
- 12 3. The First Amended Complaint attached as Exhibit A to the Declaration of Karen
 13 M. Server shall be deemed filed as of the date of this Order.

14 **IT IS SO ORDERED.**

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 16 Dated: May 17, 2006



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